

Express Mail No. ER 366217995 US

Docket No. K21722USWO (C034835/0191317)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE ACTING AS
DESIGNATED/ELECTED OFFICE (DO/EO/US) UNDER THE PATENT
COOPERATION TREATY CONCERNING A FILING UNDER 35 U.S.C. § 371

In re Application of:

Elger FUNDA and Torsten HUBER

Based on Int'l Application No.: PCT/EP2004/003110

International Filing Date: 24 March 2004

Filed: Herewith

For: **POWDEROUS FORMULATIONS OF FAT-
SOLUBLE ACTIVE INGREDIENTS**

New York, New York
September 27, 2005

INFORMATION DISCLOSURE STATEMENT

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants wish to make of record the following documents (clean copies and a Form PTO-1449 listing the documents are enclosed). The following documents were cited in the International Search Report (mailed July 23, 2004) in the International application corresponding to the above-captioned case.

U.S. PATENT DOCUMENTS

	<u>Document No.</u>	<u>Date</u>
A1	4,892,727	1/9/1990

FOREIGN PATENT DOCUMENTS

	<u>Document No.</u>	<u>Date</u>	<u>Country</u>
B1	WO 99/11143	3/11/1999	PCT
B2	EP 1 106 174 A1	6/13/2001	Europe
B3	EP 1 106 174 A9	11/21/2001	Europe
B4	EP 1 405 572 A1	4/7/2004	Europe
B5	RU 2 017 434 C1	8/15/1994	Russia

OTHER DOCUMENTS

- C1 King, J. *et al.*, "*Functional Properties of Lupin Protein Isolates (Lupinus albus cv Multolupa)*," J. Food Sci., vol. 50, pp. 82-87 (1985).
- C2 Derwent Database English language abstract of RU 2 017 434 C1 (B5 above), Abstract No. XP002287568 (1995).

Document B5 is not in English. Therefore, a Derwent English abstract is provided as Document C2.

The Examiner's independent consideration of all of these documents and their relevance before issuance of the first official action is respectfully requested. The Examiner is also requested to initial and return a copy of the accompanying form PTO-1449 to evidence such consideration.

A copy of the International Search Report is enclosed herewith. The documents cited in the report are identified herein and copies of documents, other than the U.S. Patent Document, are provided. See MPEP § 609(III)(A)(2)(A) (8th Ed., Rev. 2, May 2004, p. 600-128); See also 1276 OG 55 (August 5, 2003) (Waiving the requirement under Rule 98(a)(2)(1) to provide a copy of each cited U.S. patent document for any application filed after June 30, 2003.).

This Information Disclosure Statement is being filed in accordance with the provisions under 37 C.F.R. §1.97(b)(2), within three months of the date of entry of the national stage of the international application. Accordingly, no fee is believed to be due. If, however, a fee is due, please charge the same to Deposit Account No. 02-4467. A duplicate copy of this sheet is enclosed.

If the Examiner has any questions regarding this paper, please contact the undersigned attorney.

Respectfully submitted,

By: 

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Form PTO-1449 (Rev.)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO.: K21722USWO (C038435/0191317)	SERIAL NO. 10/551197 Not yet assigned
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)		APPLICANT(S): Elger FUNDA and Torsten HUBER	
		FILING DATE: Herewith	ART UNIT: Not yet assigned

U.S. PATENT DOCUMENTS

Examiner Initial	Cite No.	U.S. Patent Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	A1	4,892,727	1/9/1990	Grollier			

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
	B1	WO 99/11143	3/11/1999	PCT				
	B2	EP 1 106 174 A1	6/13/2001	Europe				
	B3	EP 1 106 174 A9	11/21/2001	Europe				
	B4	EP 1 405 572 A1	4/7/2004	Europe				
	B5	RU 2 017 434 C1	8/15/1994	Russia			X	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	C1	King, J. et al., "Functional Properties of Lupin Protein Isolates (<i>Lupinus albus</i> cv <i>Multolupa</i>)," <i>J. Food Sci.</i> , vol. 50, pp. 82-87 (1985).
	C2	Derwent Database English language abstract of RU 2 017 434 C1 (B5 above), Abstract No. XP002287568 (1995).

EXAMINER	DATE CONSIDERED
Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	